



UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION
PSC BOX 8003
CHERRY POINT, NORTH CAROLINA 28533-0003

AirStaO 5370.2E
INS

14 NOV 200?

AIR STATION ORDER 5370.2E

From: Commanding General, Marine Corps Air Station, Cherry Point
To: Distribution List

Subj: CIVILIAN/MILITARY FAMILY MEMBER/JUVENILE MISCONDUCT

Ref: (a) Title 18, U.S. Code (NOTAL)
(b) MCO 5510.15
(c) Title 50, U.S. Code, Section 797 (NOTAL)
(d) AirStaO 5371.1

Encl: (1) Definitions
(2) Description of Administrative Actions
(3) Disposition Guidelines

1. Situation. To establish guidelines for the disposition of cases involving civilian misconduct occurring aboard Marine Corps Air Station (MCAS), Cherry Point.

2. Cancellation. AirStaO 5370.2D.

3. Mission. By virtue of his office, the CG, MCAS Cherry Point, has authority over all personnel and activities aboard this installation. While the military chain of command exercises authority over instances of misconduct committed by military personnel, the CG exercises administrative as well as legal authority regarding instances of misconduct committed by civilians, military family members, and juveniles. References (a), (b), and (c) provide the CG with a wide range of options that may be imposed upon civilians, military family members, and juveniles who commit violations of established regulations or criminal offenses aboard the Air Station. These options include, but are not limited to, prosecution in Federal Magistrate or District Court, permanent debarment, eviction from military family housing, suspension of privileges, restriction from certain areas/facilities, probation, assignment to community service, and other administrative measures.

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4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. To describe the various administrative and legal options available to the CG regarding instances of misconduct committed by civilians, military family members, and juveniles, and to provide guidelines for implementing administrative and legal options.

(2) Concept of Operations

(a) The Station Inspector (INS) and the Special Assistant to the United States Attorney (SAUSA) are directly involved in handling instances of misconduct committed by civilians, military family members, and juveniles. The INS and SAUSA consult to determine which cases should be handled by the INS using administrative options and which cases should be handled by the SAUSA through the Federal Magistrate or District Court. Some cases may result in both administrative and legal actions.

(b) The INS is delegated authority to pursue all administrative options regarding instances of misconduct. The decision to prosecute civilians, military family members, and juveniles in Federal District Court rests with the SAUSA who ensures that the CG is kept informed of the status of cases being federally prosecuted.

(c) Enclosure (1) describes those subject to administrative and legal authority in the context of this Order. Enclosure (2) identifies the various administrative options. Enclosure (3) provides guidelines for implementing administrative and legal options.

5. Administration and Logistics. This Order has been coordinated with and concurred in by the CG, 2d MAW, and the CO's, CSSD-21, NAVHOSP, 12th Dental Company, RSU, and NADEP.

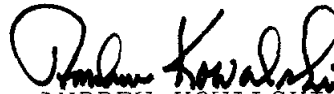
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6. Command and Signal

a. Signal. This Order is effective the date signed.

b. Command. This Order is applicable to the Marine Corps Reserve.


ANDREW KOWALSKI
Chief of Staff

DISTRIBUTION: MCAS A
2d MAW A

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DEFINITIONS

1. Civilian. For the purposes of this Order, a civilian is anyone who is not a member of the Armed Forces on active duty and has attained his or her 18th birthday.
2. Military Family Member. Military family members are civilians who are granted privileges based upon sponsorship by active duty or retired military personnel.
3. Juvenile. A juvenile is a person who has not yet attained his or her 18th birthday and is not a member of the Armed Forces on active duty.
4. Civilian Government Employees. Civilians who are granted access to the Air Station based upon their employment by the Federal Government.
5. Commercial and Contract Employees. Civilians who are granted access to the Air Station to perform contracted services for the Government or to provide services for personnel working or residing aboard the Air Station.
6. Guest(s). Sponsored individuals who are not otherwise entitled to be aboard this installation or to use its facilities and services.

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DESCRIPTION OF ADMINISTRATIVE ACTIONS

1. Letter of Warning. This correspondence is issued to warn those involved in minor misconduct that further misconduct may lead to more substantial administrative measures.
2. Suspension of Privileges. This action suspends specific privileges of those involved in misconduct.
3. Debarment. This action directs individuals involved in misconduct to leave and not reenter the limits of specified military reservations. Debarment correspondence includes a Debarment Order.
4. Juvenile Court. Reference (d) establishes the Air Station Juvenile Court. Juvenile Court provides another means to deal with misconduct committed by juveniles in lieu of the more formal actions described above.

ENCLOSURE (2)

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DISPOSITION GUIDELINES

The below listing of misconduct along with action normally imposed is a guide and not all inclusive. Where any instance of misconduct is not listed herein, action will be taken consistent with the seriousness of the misconduct. More/less severe action may be taken based upon the circumstances of the individual case. Additionally, more than one action may result from a single offense.

1. Conduct that normally results in an oral admonition:

Particularly minor offenses, especially when younger children are involved.

2. Conduct which normally results in a Letter of Warning:

Unresolved neighborhood disputes; minor domestic disputes; failure to exercise control or supervision over minor children; violation of motor vehicle regulations when action in addition to that of the Traffic Court Officer is appropriate; violation of wildlife regulations; violation of pet regulations; and any minor violation which threatens the peace and/or security of this installation.

3. Conduct which normally results in suspension of privileges or restriction to specified areas and/or a period of probation:

Shoplifting or theft from any activity/location aboard this installation; abuse of privileges; and sponsorship of an individual not otherwise entitled to use facilities where such individual violates regulations or commits criminal misconduct aboard this installation.

4. Conduct which normally results in a Letter of Debarment:

Commission of any offense involving a weapon or drug related activity; commission of a felony; repeated minor violations of regulations where the individual has been previously warned or lesser administrative action taken without results; serious domestic disturbances; serious spouse/child neglect or abuse; aggravated assaults; theft, burglaries, repeated motor vehicle violations; any offense/misconduct that threatens the peace and/or security of this installation. A Letter of Debarment will terminate employment and employment opportunity.

5. Referral to Federal Authorities: Any violation of federal or state law, especially serious offenses or trespassing after having been ordered from this installation, will be referred to the SAUSA for action; and any DD Form 1805 citation.

ENCLOSURE (3)